

**KILPATRICK
STOCKTON LLP**

Attorneys at Law

**RECEIVED
CENTRAL FAX CENTER****OCT 11 2006**

October 11, 2006

Suite 2800 1100 Peachtree St.
Atlanta GA 30309-4530
t 404 815 6500 f 404 815 6555
www.KilpatrickStockton.comdirect dial 404.815.6446
direct fax 404.541.3375
Arossi@KilpatrickStockton.com**FAX**

| RECIPIENT/ PHONE NO. | FAX NO. | COMPANY/ CITY, STATE, COUNTRY |
|-------------------------|--------------|---|
| Central Fax | 571.273.8300 | Mail Stop Amendment U.S. Patent and Trademark Office Alexandria, VA |

Angela M. Rossi

FROM

5
PAGES (WITH COVER)

2298

REFERENCE NO

41482/253466

CLIENT/MATTER NO.

PLEASE CALL 404 815 6497 IF YOU HAVE DIFFICULTY WITH THIS TRANSMISSION.**CONFIDENTIALITY NOTE:**

The information contained in this fax message is being transmitted to and is intended for the use of the individual named above. If the reader of this message is not the intended recipient, you are hereby advised that any dissemination, distribution or copy of this fax is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone and destroy this fax message.

COMMENTSRe: U.S. Patent Application Serial No. 09/925,193
Our Ref. No. 41482/253466

US2000 9179989.1

TO BE COMPLETED BY KS OPERATIONS CENTER**TRANSMISSION RECEIPT DATE/TIME:** _____**COMPLETED BY:** _____**JOB CODE** _____

ATLANTA AUGUSTA CHARLOTTE LONDON NEW YORK RALEIGH STOCKHOLM WASHINGTON WINSTON-SALEM

RECEIVED
CENTRAL FAX CENTER

OCT 11 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: WINDER et al.

SERIAL NO.: 09/925,193 Group Art Unit: 3736

FILED: August 9, 2001 Examiner:

FOR: METHOD AND MEANS FOR CONTROLLING
ACOUSTIC MODES IN TISSUE HEALING
APPLICATIONS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Date: 11 OCTOBER 2006
Attorney Docket No.: 41482/253466

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publication listed on the enclosed Form PTO/SB/08a is cited for consideration by the Examiner.

Submission of the reference provided in this Supplemental Information Disclosure is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

This Supplemental Information Disclosure Statement is being filed pursuant to 37 C.F.R. 1.97(b)(3), before issuance of an Action on the merits. Applicants believe that no fee is due for consideration of this paper. However, if a fee is due the

US2006 9511629 1

Commissioner is authorized to charge any such fee that may be due or credit any overpayment to Deposit Account No. 11-0855.

Respectfully submitted,



Bruce D. Gray
Reg. No. 35,799

KILPATRICK STOCKTON LLP
Suite 2800, 1100 Peachtree Street
Atlanta, Georgia 30309-4530
Phone (404) 815-6500

OCT 11 2006

PTO/SB/21 (05-03)


Approved for use through 04/30/2003. OMB 0651-0031

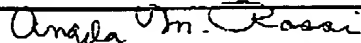
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|---|------------------------|----------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/925,193 |
| | Filing Date | August 9, 2001 |
| | First Named Inventor | Winder et al. |
| | Art Unit | 3736 |
| | Examiner Name | |
| Total Number of Pages in This Submission | Attorney Docket Number | 41482/253466 |

| ENCLOSURES (check all that apply) | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Form PTO/SB/08 (01 sheet) |
| Remarks | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual name | Bruce D. Gray, Reg. No. 35,799 Kilpatrick Stockton LLP |
| Signature |  |
| Date | 11 October 2006 |

| CERTIFICATE OF MAILING | | | |
|--|---|------|-----------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO on the date shown below. | | | |
| Typed or printed name | Angela M. Rossi | | |
| Signature |  | Date | 11 OCTOBER 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

OCT 11 2006

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

| | |
|------------------------|----------------|
| Application Number | 09/925,193 |
| Filing Date | August 9, 2001 |
| First Named Inventor | WINDER et al. |
| Group Art Unit | 3736 |
| Examiner Name | |
| Attorney Docket Number | 41482/253466 |

U.S. PATENT DOCUMENTS

| Examine r Initials * | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-------------------------|-----------------------|---|--------------------------------|--|---|
| | | Number - Kind Code ² (if known) | | | |
| | | US-6,397,683 B1 | 06-04-2003 | Hagenmeyer, et al. | |

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.88. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.